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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/781,619

02/20/2004

Timothy M. Corcoran

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06/01/2006

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EXAMINER

SHERR, CRISTINA O

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/781,619

Applicant(s)

CORCORAN ET AL.

Examiner

Cristina Owen Sherr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the application filed February 20, 2004.

Claims 1-20 are presented for examination.

Specification

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burakoff et al (US 2002/0065896).

5. Regarding claim 1 –

Burakoff discloses a global information clearinghouse (GCCIC), comprising: a GCCIC system having a central information repository wherein information related to the transportation of goods is processed and stored, the repository, comprising: a processor section including routines to operate the GCCIC, a transaction section that tracks transactions recorded in the GCCIC, and a data section that records the information and provides an interface to users of the GCCIC; and a set of rules for operation of the

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GCCIC, wherein one or more rules is acknowledged by a government agency (e.g. par 21, 35).

6. Burakoff does not specify information regarding cargo, or a government agency , however, it would be obvious to one of ordinary skill in the art to modify Burakoff to deal with different types of information, and with any authority setting rules.

7. Regarding claims 2-4 –

Burakoff discloses the GCCIC system of claim 1, further comprising a mutual benefit association including commercial entities and government agencies, wherein the commercial entities propose the one or more rules to be acknowledged by the government agency, and wherein the commercial entities and the government agencies provide information to the GCCIC system and receive information and products from the GCCIC system, wherein the products provided from the GCCIC system comprise risk assessments, data mining, transaction insurance, data archiving and trend analysis, vulnerability assessments, customized reporting, and regulatory and compliance assessments; further comprising: an incentives program to encourage compliance with the set of rules for operation of the GCCIC; and an enforcement program to ensure compliance with the set of rules (e.g. par 35).

8. As above, Burakoff does not specify information regarding cargo, , however, it would be obvious to one of ordinary skill in the art to modify Burakoff to deal with different types of information.

9. Regarding claim 5 –

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Burakoff discloses an Information Clearinghouse (GCCIC), comprising: a non-profit association; a set of rules for operation of the GCCIC system, wherein the set of rules for operation of the GCCIC system include rules specifying information to be maintained in the central information repository; GCCIC association members, comprising commercial entities and government agencies involved in trade of goods across national borders; a set of rules for governing the GCCIC association members, wherein one or more rules is acknowledged by a government agency; an enforcement mechanism operable to enforce the set of rules for governing the GCCIC association members; and a set of initiatives and programs that encourage membership in the GCCIC association (e.g. par 21, 35).

10. Burakoff does not specify information regarding cargo, or a government agency, however, it would be obvious to one of ordinary skill in the art to modify Burakoff to deal with different types of information, and with any authority setting rules.

11. Regarding claims 6-7 –

Burakoff discloses a GCCIC operating entity that administers the GCCIC system, wherein the commercial entities pay a fee for services and products provided through the operating entity, and wherein the operating entity is paid for administering the GCCIC system; further comprising a GCCIC service provider that provides technical assistance and products usable by members of the GCCIC operating entity (e.g. par 37).

12. As above, Burakoff does not specify information regarding cargo, or a government agency, however, it would be obvious to one of ordinary skill in the art to

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modify Burakoff to deal with different types of information, and with any authority setting rules.

13. Regarding claim 8 –

Burakoff discloses a method for operation of an Information Clearinghouse (GCCIC), comprising: providing a GCCIC system including a central information repository; providing a set of rules for operating the GCCIC system; forming a GCCIC association comprising commercial entities and government agencies as members; proposing rules for governing the association; receiving an indication that the proposed rules are acknowledged by a government agency; providing incentives and programs for members of the association; imposing fees on the organization; and monitoring compliance with the adopted rules (e.g. par 21, 35).

14. Burakoff does not specify information regarding cargo, or a government agency , however, it would be obvious to one of ordinary skill in the art to modify Burakoff to deal with different types of information, and with any authority setting rules.

15. Regarding claims 9-10 –

Burakoff discloses a method wherein providing the incentives and programs comprises providing reduced insurance rates based on compliance with the adopted rules; further comprising conducting a risk assessment related to the transportation of goods in cargo containers across national borders, wherein the risk assessment is usable to lower insurance rates (e.g. par 37).

16. As above, Burakoff does not specify information regarding cargo, or a government agency , however, it would be obvious to one of ordinary skill in the art to

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modify Burakoff to deal with different types of information, and with any authority setting rules.

17. Regarding claims 11-20 –

Burakoff discloses a method comprising: forming a not-for-profit association of commercial entities and government agencies concerned with movement of cargo containers across national borders; proposing rules for governing the association, wherein one or more of the rules are acknowledged by a government agency; establishing a cargo container clearinghouse system comprising: processing to process cargo container shipment transactions, and data storage to store information related to the transactions; setting rules for operation of the cargo container clearinghouse system, wherein the cargo container clearinghouse system is operated by a commercial entity on a for-profit basis; providing incentives for compliance with the governing rules; and monitoring compliance with the governing rules (e.g. par 21, 35).

18. Burakoff does not specify information regarding cargo, or a government agency, however, it would be obvious to one of ordinary skill in the art to modify Burakoff to deal with different types of information, and with any authority setting rules.

19. Regarding claims 12-13 –

Burakoff discloses a method further comprising establishing a service provider to provide technical advice and components as needed to comply with the governing rules and the rules for operation of the cargo container clearinghouse system; wherein the components comprise electronic locks and tags, wherein the electronic locks and tags

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are useable to report cargo container status reports to the clearinghouse system (e.g. par 37).

20. As above, Burakoff does not specify information regarding cargo, or a government agency, however, it would be obvious to one of ordinary skill in the art to modify Burakoff to deal with different types of information, and with any authority setting rules.

21. Regarding claim 13-20 –

Burakoff discloses a method as in claim 11, wherein providing incentives comprises: providing risk assessments; providing transaction insurance based on the cargo container risk assessments; providing transaction data storage and access; providing customized reporting of cargo container transactions; providing event notifications; and providing regulatory and compliance assessments; wherein monitoring compliance comprises: tracking cargo container events; receiving cargo container status reports; and reviewing completed cargo container transactions; wherein tracking cargo container events comprises: tracking cargo container openings; tracking cargo container time in transit; and tracking cargo container geo position; wherein receiving cargo container status reports comprise: receiving cargo container geo positions; and receiving cargo container environmental information; correlating the status reports with related threshold information from a cargo container intended transit plan; and sending an alert when a threshold is exceeded; further comprising generating an updated risk assessment when a threshold is exceeded; further comprising, for a cargo container transaction, performing a vulnerability assessment, comprising: (a) determining a cargo container

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type; (b) identifying cargo, origin of cargo, exporter and shipper; (c) identifying an intended transport path; (d) assessing vulnerability based on (a)-(c) (e.g. par 37).

22. As above, Burakoff does not specify information regarding cargo, or a government agency, however, it would be obvious to one of ordinary skill in the art to modify Burakoff to deal with different types of information, and with any authority setting rules.

23. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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STAMPED: MAY 28 2006
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